

STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

December 5, 2011

5:30 p.m.

Courthouse

MINUTES:

MEMBERS PRESENT:

Commissioner Jack Black
Commissioner Gary Farley
Commissioner Trey Gooch
Commissioner Jeff Jordan
Commissioner Steve Sandlin
Commissioner Robert Stevens
Commissioner Adam Coggin, C

OTHERS PRESENT:

Ernest Burgess	Carol Cook
Will Jordan	Robert Peay
Mary Schneider	Nicole Lester
Jeremy Cothorn	Mike Sparks
Keith Bratcher	Lisa Crowell
Sonya Stephenson	Susan Allen
Brian Robertson	Greg Flanagan
Kathy Hines	Egon Grisham
Anthony Tuggle	Becky Shelton

Chairman Coggin presided and called the meeting to order at 5:30 p.m. with six members being present at that time.

MINUTES:

"Commissioner Farley moved, seconded by Commissioner Black, to approve the minutes of the last meeting as mailed. This motion passed unanimously by acclamation."

REFERRAL FROM PUBLIC SAFETY COMMITTEE TO ASK THE LEGISLATIVE DELEGATION TO SPONSOR A BILL THAT MAKES ABUSE OF SYNTHETIC DRUGS A FELONY:

Commissioner Farley advised this matter had been referred from the Public Safety Committee through the Drug Court. Greg Flanagan of the Murfreesboro Police Department described use of synthetic drugs and the medical aspect including long term effects being unknown. State Representative Mike Sparks advised he had presented a bill last session which would have made synthetic drugs a felony but the attached fiscal note was \$500,000. Mr. Flanagan advised there had been a huge increase in the use of these drugs over the last eighteen months. It is only a misdemeanor for selling these items now and the risk of selling does not outweigh the penalty if caught and these need to be treated like any other drug.

Mary Schneider provided an excerpt from the Public Health Code, Act 368 of 1978, a copy of the State of Michigan House Bill #6038 and Senate Bill #259 and Ordinance of the Winchester Municipal Code pertaining to the prohibition of the possession, sale, delivery, transfer or attempt to possess, sale, deliver or transfer synthetic drugs.

Mr. Flanagan advised three of the components have been made Schedule 1 by the DEA.

"Commissioner Farley moved, seconded by Commissioner Black, to send a Resolution to the Rutherford County State delegation asking that the sale of synthetics be made a felony. Additionally, to forward the same to surrounding counties for support. This motion passed unanimously by acclamation."

Kathy Hines, a retired Michigan detective, and Egon Grisham addressed the Committee and provided a copy of Tennessee Public Chapter 169 as well as information on synthetic cannabinoids and cathinones. Mr. Grisham advised the synthetics are psycho active drugs which make people crazy and the focus needs to be on education and awareness. Mr. Grisham has met with the Rutherford County SRO's but advised it is better to educate the parents as to what to look for. Mr. Grisham provided examples of the synthetics for the Committee to examine.

State Representative Sparks provided a copy of the bill he

previously submitted to make the sale of synthetics a felony.

FILL FOUR VACANCIES ON AGRICULTURAL COMMITTEE:

Chairman Coggin advised the positions of two Commissioners, one farmer and one farmwoman on the Agricultural Committee were to be filled and applications had been received from Brandon Whitt for the farmer position, Francille Whitworth for the farmwoman position, and Commissioners Carol Cook, Will Jordan and Robert Peay for the two Commissioner positions. The Committee was advised Mr. Whitt and Ms. Whitworth were both at a Farm Bureau conference and unable to attend the meeting.

"Commissioner Sandlin moved, seconded by Commissioner Farley, to recommend appointment of Brandon Whitt for the farmer position and Francille Whitworth for the farmwoman position on the Agricultural Committee. This motion passed unanimously by acclamation."

Commissioners Cook, Will Jordan and Peay addressed the Committee.

"Commissioner Farley moved, seconded by Commissioner Sandlin, to nominate all applicants and vote for two. Commissioners W. Jordan and Peay will be recommended for appointment to the Agricultural Committee with Commissioner Black voting for Cook and Jordan; Commissioner Farley voting for Peay and Jordan; Commissioner Gooch voting for Peay and Jordan; Commissioner J. Jordan voting for Peay and Jordan; Commissioner Sandlin voting for Peay and Jordan; Commissioner Stevens voting for Cook and Jordan and Chairman Coggin voting for Peay and Jordan."

ANNOUNCE VACANCY ON CONSERVATION BOARD:

Chairman Coggin advised the position of William Strang, Jr. on the Conservation Board was expiring and accordingly being announced.

MODIFICATION OF PRIVATE ACT REGARDING WHEEL TAX DECAL:

County Clerk Lisa Duke Crowell next addressed the Committee advising 21 other Tennessee counties have a wheel tax but do not issue a wheel tax decal. The lowest bid for decals next year was \$13,112 and if the County no longer issued wheel tax decals this could be saved in addition to staff time for inventory and collating of stickers. Ms. Crowell advised proof of payment is on the vehicle registration which is provided in accidents and tickets.

Commissioner Farley advised the County already has a problem with enforcement and advised having no sticker is a reason to be pulled over. Ms. Crowell advised any expired tag would indicate the vehicle has not paid the wheel tax and a State tag cannot be purchased without paying the wheel tax. Ms. Crowell advised this is happening across the State and Sumner County has done this since 2003.

Ms. Crowell advised the 2011 wheel tax decals were defective and faded out but no calls were received to so advise.

Ms. Crowell further advised the CTAS attorney has said this would be a good time to clean up the Private Act as it is out of date and requires the wheel tax sticker be placed on the windshield.

Commissioner Farley requested Ms. Crowell to contact other counties that do not issue a wheel tax decal for the pros and cons of the same.

Ms. Crowell advised she was just seeking direction from the Committee and could bring back the revised Private Act next month.

The Committee was provided a rough draft of a proposed

Resolution to eliminate the need to have an affixed wheel tax decal and Resolution urging the General Assembly to amend Chapter 329, as amended, of the Private Acts of 1970 relative to the issuing of a wheel tax decal or emblem in Rutherford County.

"Commissioner Sandlin moved, seconded by Commissioner Black, to approve the modifications to the Private Act on the wheel tax decal and present the same next month with a study of other county's actions as to wheel tax decals. This motion passed unanimously by acclamation."

ELECTRONIC COMMITTEE AGENDA PROCESSING:

Brian Robertson next provided information on improvements and maintenance for providing ten iPad2s for Commissioner use in Committees. The proposal provided for the initial purchase of ten iPad2s to be used in Committees as well as County e-mail addresses for each Commissioner. Mr. Robertson reviewed how the iPad2s could be used and the potential savings.

Commissioner Stevens advised he would like to see documents to be presented prior to the Committee meetings in order to read the same.

"Commissioner Stevens moved, seconded by Commissioner Gooch, to approve the initiation of the electronic process as outlined. This motion passed unanimously by acclamation."

Mr. Robertson next provided a Social Media Policy, Guidelines & Acknowledgement Form for information and review by the Committee. This policy will be on next month's agenda.

CLARIFICATION OF ROAD BOARD/SCHOOL BOARD ZONES:

Ms. Lester next addressed the Committee presenting two proposed Resolutions to clean up the Road Board and School Board zones. Ms. Lester advised the Commission district numbers were not changing but only two of the Road Board zones to have them be the same as the School Board zones.

The second issue presented was a proposed Amendment to the Private Acts of 1951, Chapter 55. The amendment was required because to have the Zone 2 Road Board zone be the same term as the School Board Zone 2 the Road Board member would have to either have a two year term or six year term when elected in 2014. Zone 7 (formerly Zone 1) is also affected as this person is to be elected in 2012 and would have to have a two year term or six year term to have the Road Board zone be consistent with the School Board Zone 7. T.C.A. 49-2-201 requires School Board members be elected to serve four year terms but the County Commission can modify Road Board terms. Current terms of Road Board members cannot be abridged so only the election in 2012 and 2014 would be affected with subsequent four year terms thereafter.

Mayor Burgess advised it has been difficult to figure this out requiring much research by Ms. Lester. The current Resolutions would clear up the terms.

Keith Bratcher, a Road Board member, addressed the Committee advising he would prefer the six year term as one of the affected zones is his.

Commissioner Stevens questioned if the proposed Resolutions tied the hands of the Redistricting Committee. Ms. Lester advised it would be mid February before the Private Act was received back from the Legislature and if the Redistricting Committee had changed the zones then the County could just not ratify what comes back from the State. Ms. Lester advised her office cannot issue petitions for elections until the State has approved the County's redistricting proposal and this may affect the August, 2012 election. Accordingly, she wanted to go on and present the Resolutions. Following discussion,

"Commissioner Black moved, seconded by Commissioner Gooch, to approve the two Resolutions as presented as to the Road Board and School Board. This motion passed by acclamation with Commissioner Stevens voting "no".

"Commissioner Gooch moved, seconded by Commissioner Black, to approve the Amendment to Private Acts of 1951, Chapter 55, as presented changing two year to six years. This motion passed by acclamation with Commissioner Stevens voting "no".

RESCHEDULE JANUARY MEETING DUE TO NEW YEAR'S HOLIDAY:

It was the consensus of the Committee that Vicki Taylor would contact the legislative delegation and tentatively schedule a meeting with the Steering Committee as the January Steering Committee meeting trying to schedule the same on January 9.

KEITH BRATCHER ADDRESS REGARDING MAKE UP OF REDISTRICTING COMMITTEE:

Keith Bratcher addressed the Committee advising at the inception of the Redistricting Committee a representative from the School Board and Road Board were mentioned but not appointed. The Redistricting Committee is now discussing Road Board and School Board zones with no one from these Boards to have in put. Commissioner Sandlin advised no changes have been made although the same have been discussed and any Road Board or School Board member is welcome to attend the meeting to comment. Mr. Bratcher advised since no Road Board or School Board member has a vote he would encourage consideration of their opinions.

ANNOUNCE VACANCY ON AUDIT COMMITTEE:

Mayor Burgess advised one of the Audit Committee positions is for a CPA and Paul Long was previously appointed. Mr. Long now has a conflict and accordingly this vacancy needs to be announced. Chairman Coggin advised this vacancy will be announced at the Commission meeting.

REDISTRICTING COMMITTEE:

Commissioner Farley advised in watching the Redistricting Committee meetings he thought the term "community of interest" should be defined. Commissioner Farley advised he thought representation of the entire county as a community of interest could be applied.

Commissioner J. Jordan advised he previously lived in Milton and worked in LaVergne and these were two completely different communities and the definition of community of interest is difficult to define.

Commissioner Gooch advised the education interests of parents are the same in all districts.

Commissioner J. Jordan advised Eagleville just got an addition to the high school which would not have been possible without eleven Commissioner votes although all eleven do not represent Eagleville. Commissioner Farley concurred it requires eleven Commissioner votes to build a school so this puts Rutherford County in general at interest.

Commissioner Gooch advised from watching the Redistricting Committee meeting he was concerned over wanting to redo lines so particular cities could guarantee a representative.

Commissioner Peay advised if there is only one Commissioner representing a city then they may have a problem getting anything passed since eleven votes are required and it appeared a mistake was being made by wanting one representative.

Commissioner Sandlin advised the Redistricting Committee

had a large task to handle but had good representation. It concerns Commissioner Sandlin that he has been ask if everyone in the County is being represented equally and it appears the general public may have come away with the perception that everyone is not being represented while in fact Rutherford County has good representation.

Commissioner Farley advised Rutherford County is third out of 95 counties so this shows the school system is being handled well.

There appearing to be no further business to come before the Committee, Chairman Coggin declared the meeting adjourned at 7:54 p.m.

ADAM COGGIN, Chairman